THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.13847 of 2006

Dated:13.07.2006

Between:

Macha Bhaskar Rao S/o Ramaiah,
20th Ward Member of Khanapuram Haveli Gram Panchayat,
H.No.6-4-101, Venugopalanagar,
Khanapuram Haveli,
Khammam District.

..... PETITIONER

AND

The Government of A.P., rep., by Secretary,
Panchayat Raj Department, Secretariat,
Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.13847 OF 2006

ORDER:

The writ petition is filed for a Writ of Mandamus declaring the action of respondents 2 to 5 in taking steps to conduct elections to Khanapuram Haveli Gram Panchayat of Khammam District in the month of August 2006 along with other Gram Panchayats, even though the present elected body is having valid term upto 15.02.2007 (earlier elections were held on 04.12.2001 and first meeting was conducted on 15.02.2002) as illegal, arbitrary, contrary to record and violative of principles of natural justice, and consequently direct the respondents to conduct elections to the said Gram Panchayat after expiry of the term of the present body, and pass suitable orders.

2. Sri V.V.Prabhakar Rao, learned Standing Counsel representing

the second respondent, had taken notice on 10.07.2006 and requested time to get instructions. Learned counsel is placing R.C.No.P6/634/2006, wherein it was specified as under:

> "In the reference 4th cited, the State Election Commission informed that a general notification will issue for conduct of Elections to all the Gram Panchayats whose term is going to expire on 23.08.2006 and also to touch of those Gram Panchayats whose term is due to expire within (3) months from the date of Election Notification. The Gram Panchayats in the later category constitute those whose term is due to expire by the middle of October, 2006.
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> In view of the above it is submitted that the process of preparation and publication of Electoral rolls and the process of reservations to the office of the Ward members and sarpanch of Grampanchayat, Khanapuram (H) have also completed with all the Gram panchayats in the district. But the Gram Panchayat, Khanapuram (H) of Khammam (U) mandal is not falling in the list of Gram panchayats going to poll during the month of July/August 2006 as the term of Gram panchayat: Khanapuram (H) of Khammam (U) mandal is going to expire on: 14.02.2007.
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> This is submitted for favour of information."

3. In the light of the stand taken by the District Panchayat Officer, Khammam, this Court is of the considered opinion that no further orders need be passed.

4. Accordingly, the writ petition is hereby closed. No order as to costs.

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13.07.2006

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